

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JOAN LOCH, individually and on behalf of all others  
similarly situated,

Plaintiff,

v.

AMERICAN FAMILY MUTUAL INSURANCE  
COMPANY,

Defendant.

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ORDER

22-cv-213-jdp

In its previous order, the court granted named plaintiff Joan Loch leave to amend her complaint to create two new collectives,<sup>1</sup> conditionally certified the first collective with Loch as its representative, and denied conditional certification of the second collective without prejudice to plaintiff's counsel naming an adequate representative for that collective. The court set two deadlines: (1) Loch had until May 12, to file her amended complaint as a separate document; and (2) plaintiff's counsel had until May 31, to file a motion to add an additional named plaintiff to represent the second collective and modify the notice to the collective(s) as instructed by the court. Dkt. 45. Both deadlines have passed without plaintiff's counsel filing anything with the court.

So the court now will deny with prejudice Loch's motion to conditionally certify the collective of adjusters who did not sign a voluntary severance and release agreement. Loch's original complaint, Dkt. 1, remains the operative pleading in this case. The court will give Loch

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<sup>1</sup> The proposed collectives consist of current and former casualty med pay no-fault adjusters who: (1) signed a voluntary severance and release agreement; and (2) did not sign a voluntary severance and release agreement.

until June 20, 2023, to file a revised notice that corrects the problems identified in the court's May 1 order. If Loch does not file a revised notice by June 20, I will decertify the collective and dismiss Loch's individual claim for her failure to prosecute it.

Entered June 7, 2023.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge